

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MAY 09 2025



CARLOS MATURIN,
Plaintiff,
vs.

MITCHELL R. ELFERS
CLERK

Case No. 25 cv 444 MIS/JHR

GOVERNOR MICHELLE LUJAN GRISHAM, in her official capacity,
MAYOR TIM KELLER, in his official capacity
CHIEF HAROLD MEDINA, in his official capacity,
BRIGADIER GENERAL MIGUEL AGUILAR, Adjutant General of the New Mexico
National Guard, in his official capacity,
CITY OF ALBUQUERQUE, a municipal government entity,
Defendants.

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

INTRODUCTION

1. COMES NOW Plaintiff Carlos Maturin, pursuant to Fed. R. Civ. P. 65(b)(1), and moves this Court for an emergency Temporary Restraining Order (TRO) to enjoin the imminent deployment of New Mexico National Guard personnel into the civilian neighborhoods of Albuquerque. Defendants' deployment, scheduled to begin this weekend, includes drone surveillance, perimeter enforcement, and detainee processing conducted by non-POST-certified military personnel.
2. As stated in Plaintiff's Verified Complaint, this deployment will occur without legislative authorization, judicial oversight, or public process. It violates the First, Fourth, Fifth, and Fourteenth Amendments, and the Posse Comitatus principle codified at 18 U.S.C. § 1385.

GROUNDS FOR IMMEDIATE RELIEF

3. The deployment is scheduled to begin imminently — within 24–48 hours.
4. Brigadier General Aguilar has confirmed 11–12 National Guard drone operators will begin operations this weekend.
5. Plaintiff faces immediate and irreparable harm, including unlawful surveillance, suppression of speech, and denial of due process.

6. Defendants have not published deployment protocols or safeguards against constitutional violations.
7. Plaintiff seeks to preserve the status quo until a full preliminary injunction hearing may be held.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that this Court:

8. Immediately issue a Temporary Restraining Order halting the deployment and operational assignments of National Guard personnel into law enforcement-adjacent functions in the City of Albuquerque.
9. Order an expedited hearing on Plaintiff's forthcoming motion for preliminary injunction.
10. Require Defendants to disclose all relevant deployment orders, interagency communications, and training protocols.
11. Grant such other relief as the Court deems just, necessary, and appropriate.

Respectfully submitted,

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Pro Se Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2025, a true and correct copy of the foregoing Plaintiff's Emergency Motion For Temporary Restraining Order, was served via CM/ECF on Counsel for Defendants and all parties.

/s/ Carlos Maturin
Pro Se Plaintiff